

# Civil Rights Office Programs

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# Program Staff

## Title VI

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# Topics for Today

- Title VI Requirements
  - DBE requirements
  - Davis Bacon Act

# Purpose

- Comply with Title VI
- Perform necessary DBE reports
- Comply with federal payroll requirements

# Title VI of the Civil Rights Act of 1964

Prohibits discrimination based on race, color or natural origin under *any* program or activity that receives federal funding.

Subsequent laws and executive orders added sex, age, disability and income status

# What Is Prohibited By Title VI?

- Deny services, aids, or benefits
- Provide a different service, aid, or benefit
- Provide a service, aid, or benefit differently than provided to others
- Segregate or separately treat individuals in the receipt of any service, aid, or benefit

# Local Responsibilities

- File signed Title VI Assurances with MaineDOT annually (with Appendix A & E)
- Designate a Title VI Coordinator.
- Insert a copy of signed Title VI Assurances with Appendix A & E in every contract and solicitation for services.
- <http://www.maine.gov/mdot/civilrights/title6/>

# Form FHWA-1273

- Form FHWA-1273 must be inserted into every federally funded contract and subcontract.
- The form is on the FHWA website:  
<https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>



# Limited English Proficiency (LEP)

- Those who do not speak English as their primary language can be LEP.
- Those with a limited ability to read, speak, write or understand English can be LEP.
- Local Public Agencies must take reasonable steps to ensure meaningful access to programs, services, and information for LEP populations.

# Disadvantaged Business Enterprises

Integrity – Competence - Service



# DBE Program

- DBE is a federally mandated program to assist women, minority and disadvantaged small business owners in promoting their businesses and services within the contracting community.
- It attempts to level a historically unbalanced playing field in highway and bridge construction.

# DBE Goal

- Current DBE goal is **2.4%**.
- Annually, 2.4% of federal program dollars let by MaineDOT would be contracted / subcontracted to MaineDOT certified women, minority or disadvantaged small businesses.
- Covers consultant work, construction contracts, and locally administered projects.

# DBE documentation requirements

- Once a DBE firm has a signed subcontract for work on your project, a copy of the signed subcontract must be in the on-site project files.
- This document may be reviewed during site visits from MaineDOT and FHWA personnel.

# DBE documentation requirements

- DBE Utilization Form must be in the Resident's on-site files, since it may be reviewed during visits by MaineDOT and FHWA personnel.
- If you do not have the Utilization Form for your project, you can contact the MaineDOT Civil Rights Office or print one from the website:
- <http://www.maine.gov/mdot/civilrights/dbe/>

# CUF: What is Commercially Useful Function?

- We must verify that a DBE hired to work on a project is performing the services listed in its contract with its own equipment and workforce.
- This is the Commercially Useful Function of the firm.
- We must verify that employees are listed on the DBE's payroll and not on another firm's payroll.

# CUF On-Site Review

**A CUF on-site review should be completed:**

- When a DBE is on site on a project.
- When changes to the performance of the work warrant its completion.
- When a recognized DBE is working on a project, but not listed on the DBE Utilization Form.



# CUF Guidance

- Responses to questions on the CUF On-Site Review form should be as thorough as possible.
- The CUF On-Site Review should be completed by the Resident, or his/her designee.
- MaineDOT's Civil Rights Office should get a copy of the review form.

# Civil Rights Contacts

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